

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.S-544 of 2025

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| DATE | ORDER WITH SIGNATURE OF JUDGE(S). |
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Hearing of case

1. For orders on office objection No.1 to 8 as at “A”.
2. For hearing of main case.

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Dated 10.07.2025

Petitioner Prof. Mrs. Urooj Qadri present in person.
Mr. Muhammad Munaf Memon, advocate for respondents No.1 to 5
Respondents No.1 to 5 are present in person.
Mr. K.A. Vaswani, Assistant Advocate General.
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Through instant petition, the petitioner had sought the custody of Masood Ahmed Ansari, who is her husband. It is contended by the petitioner that Mr. Ansari was under illegal confinement of his sons, daughter and wife Afsar Sultana. It was further claimed that the life of Masood Ahmed Ansari was in peril and he was being denied proper treatment. She, therefore, sought his custody for admission in hospital for treatment purpose.

On notice, respondent No.5 had appeared on the last date of hearing and he voluntarily produced custody of his father today. Mr. Masood Ahmed Ansari has been produced by his sons, daughter and wife in Court on wheelchair. His health condition appears to be stable, however, due to age being aged about more than 88 years, he is unable to walk.

Petitioner was allowed to have conversation with Masood Ahmed Ansari, who identified the petitioner by name in the Court although he was not in a position to identify his another wife Mst. Afsar Sultana, but the scope of the present petition was only limited to the health condition, illegal confinement and medical treatment of Mr. Ansari, which from his physical appearance seems to be stable. He is residing with his children; therefore, his custody cannot be termed as illegal.

As far as the claim raised by the sons of Masood Ahmed Ansari that he had divorced the petitioner is concerned, this Court cannot deliberate on such an issue as the same could be adjudicated upon

by the Family Court, if the petitioner files any proceeding before the said Court.

Counsel for the respondents has also filed an order dated 26.06.2025 passed by the Court of VII-Additional Sessions Judge, South, Karachi in HCP No.2137 of 2025 wherein the similar sort of prayer was sought and the alleged detenu Masood Ahmed Ansari was called and he stated that he wants to reside with his children from his first wife, therefore, his custody was given to his sons and daughter and the learned Court had also granted visiting rights to the petitioner on daily basis at the residence of the petitioner, however, such settlement appeared to be unreasonable looking at the health condition of Masood Ahmed Ansari.

Without disputing the divorce deed which had been conveyed to the petitioner, if the petitioner still intends to visit Masood Ahmed Ansari, she may visit him at the residence of his children from his ex-wife at the address given by the respondents i.e. A-235, State Bank Society, Gulzar-e-Hijri, Karachi, on every Sunday during day hours. It is clarified that the petitioner while visiting the house of Masood Ahmed Ansari shall not cause any harassment to the housemates and shall return to her own house after meeting which will last for 1-2 hours.

The request of the petitioner for admitting Masood Ahmed Ansari in hospital does not appear to be reasonable and since the petitioner is also issueless and having no children, and Masood Ansari needs tender care at this stage, which cannot be provided by the petitioner, therefore, it will be appropriate that his custody remains with his children, however, respondents No.2 to 4 shall ensure that whenever the petitioner visits Masood Ahmed Ansari, they arrange the meeting respectfully without causing any hindrance and in case there is any complaint that the respondents have caused any sort of harassment or hindrance in the meeting, this shall be treated as contempt of court's orders and appropriate proceedings shall be initiated against the respondents No.2 to 5.

With these observations, this petition stands disposed of.

JUDGE

Ayaz Gul